

FAX

GlaxoSmithKline

To Attn: Vonda Wallace

Company US Patent and Trademark Office

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From Bonnie Deppenbrock

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Date January 17, 2007 Pages including cover 4

Subject

GlaxoSmithKline
PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709-3398Tel. 919 483 2100
www.gsk.comIn re: Partridge
Appl. No.: 10/577,410
Filed: April 26, 2006Art Unit: (not yet assigned)
Examiner: (not yet assigned)Title: ENZYME-CATALYZED DYNAMIC KINETIC RESOLUTION PROCESS FOR
PREPARING (+)-(2S,3S)-2-(3-CHLOROPHENYL)-3,5,5-TRIMETHYL-2-MORPHOLINOL
AND SALTS AND SOLVATES THEREOFDocuments Attached: Response to Notification of Missing Requirements (1 page);
Notification of Missing Requirements (2 pages - copy)

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PR60552USw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Partridge

Serial No.: 10/577,410

Filing Date: April 26, 2006

Art Unit: (not yet assigned)

Examiner: (not yet assigned)

For: ENZYME-CATALYZED DYNAMIC KINETIC RESOLUTION PROCESS FOR
PREPARING (+)-(2S,3S)-2-(3-CHLOROPHENYL)-3,5,5-TRIMETHYL-2-
MORPHOLINOL AND SALTS AND SOLVATES THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed January 3, 2007, Applicants respectfully submit that the application has been reviewed and does not include any nucleotide or amino acid sequences. Accordingly, Applicants do not believe the submission of a Sequence Listing according to 37 CFR §§1.821-1.825 is required in the instant case.

Applicants respectfully request that the requirements for submission related to sequence listings be withdrawn and the application be passed to the Examiner group for review.

In accordance with PTO requirements, a copy of the Notification of Missing Requirements is attached. The Office is invited to contact the undersigned at (919) 483-1577 to discuss this matter further, if desired.

Respectfully submitted



Bonnie L. Deppenbrock

Attorney for Applicants

Registration No. 28,209

17 January 2007

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I hereby certify that this correspondence is being facsimile
transmitted to (571) 270-9861 on January 17, 2007.


Rebecca Kerney

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1-7 JAN 2007

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To: USPTO

P.3/4

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO. 10/577,410	FIRST NAMED APPLICANT John Joseph Partridge	ATTY. DOCKET NO. PR60552USw
INTERNATIONAL APPLICATION NO. PCT/US04/34755		
I.A. FILING DATE 10/21/2004		PRIORITY DATE 10/27/2003

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GLAXOSMITHKLINE

CORPORATE INTELLECTUAL PROPERTY, MAI B475

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RESEARCH TRIANGLE PARK, NC 27709-3398

DOCKETED
03 March 2007
(17)

JAN 09 2007

CONFIRMATION NO. 3254

371 FORMALITIES LETTER

OC000000021809634

Date Mailed: 01/03/2007

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

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- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,410	PCT/US04/34755	PR60552USw

FORM PCT/DO/EO/922 (371 Formalities Notice)

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